

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:09-CR-0211</b>
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>ROBERT L. NELSON,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 2nd day of February, 2010, upon consideration of defendant's request (Doc. 83) for a transcript of the hearing held on January 12, 2010, and it appearing that defendant is represented by counsel but filed the instant request without assistance therefrom, see United States v. D'Amario, 268 F. App'x 179, 180 (3d Cir. 2008) ("The Constitution does not confer a right to proceed simultaneously by counsel and pro se . . ."); see also United States v. Vampire Nation, 451 F.3d 189, 206 n.17 (3d Cir. 2006), it is hereby ORDERED that the motion (Doc. 83) is CONSTRUED as a *pro se* motion to compel the production of a transcript, and is DENIED as so construed, without prejudice to defendant's right to file a motion seeking similar relief with the assistance of counsel.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge